

OCT. 30. 2003 2:21PM

ENDEROTH LIND & PONACK

Rec'd PCT/PTO No. 4837 P. 3 30 OCT 2003

09/869161

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Mie TAKAHASHI et al.

Serial No. 09/869,161

Filed June 25, 2001

ATTN: BOX PCT

DOCKET NO. 2001-0885A

IMMUNOCHROMATOGRAPHIC SPECIMEN AND CHROMATOGRAPH ANALYZING METHOD

[Corresponding to PCT/JP00/07447

Filed October 25, 2000]

REPLY TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 USC 371

Assistant Commissioner for Patents,  
Washington, DC 20231

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

Sir:

In response to the PTO Notification of Missing Requirements Under 35 USC 371 dated July 30, 2001, submitted herewith is a Declaration for the above application executed by the inventors.

Also enclosed are the PTO surcharge of \$130.00 required by 37 CFR 1.492(e), and a copy of the PTO notice.

It is respectfully submitted that the application is now complete, and early indication thereof is now requested.

Respectfully submitted,

Mie TAKAHASHI et al.

By

*[Signature]* Reg. No. 41471 for  
Mils E. Pedersen  
Registration No. 33,145  
Attorney for Applicants

NEP/adb  
Washington, D.C. 20006-1021  
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September 19, 2001

Received from < 202 721 8250 > at 10/30/03 2:10:04 PM [Eastern Standard Time]

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: application of

Mie TAKAHASHI et al.

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Serial No. 09/869,161

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IMMUNOCHROMATOGRAPHIC SPECIMEN AND CHROMATOGRAPH ANALYZING METHOD  
[Corresponding to PCT/JP00/07447  
Filed October 25, 2000]

PATENT OFFICE FEE TRANSMITTAL FORM

Assistant Commissioner for Patents,  
Washington, DC 20231

Sir:

Attached hereto is a check in the amount of \$130.00 to cover Patent Office fees relating to filing the following attached papers:

Late filing of executed Declaration . . . . . \$130.00

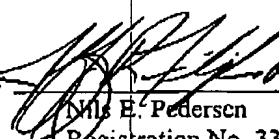
A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

*The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.*

Respectfully submitted,

Mie TAKAHASHI et al.

By

  
Miss E. Pedersen  
Registration No. 33,145  
Attorney for Applicants

NEP/adb  
WENDEROTH, LIND & PONACK, L.L.P.  
2033 K St., N.W., Suite 800  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
September 19, 2001

[Check No. \_\_\_\_\_]

2001\_0885A

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ATTY DOCKET # 2001-0885A

Due Date: September 30, 2001

OUR REF: 2001-0885A/NEP/01489

Applicant: Mie TAKAHASHI et al.

Serial No.: 09/869,161 Filing Date: June 25, 2001

Title: IMMUNOCHROMATOGRAPHIC SPECIMEN AND CHROMATOGRAPH ANALYZING METHOD

Receipt of the following papers is acknowledged:

1. Patent Office Fee Transmittal Form [In duplicate]
2. Declaration cover letter w/copy of Notification of Missing Requirements Under 35 U.S.C. dated July 30, 2001
3. Executed Declaration w/check in the amount of \$130.00

**THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975**



Date: September 19, 2001

Attorney: NEP/adb

[Check No. 46524]



OCT. 30. 2003 2:22PM

WENDEROTH LIND &amp; PONACK

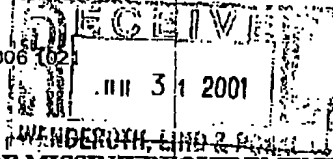
NO. 4037 P. 7

UNITED STATES PATENT AND TRADEMARK OFFICE

MARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. (CHECK NO.)
09/869161	TAKAHASHI	2001_0885A
INTERNATIONAL APPLICATION NO.		
PCT/JP00/07447		
I.A. FILING DATE	PRIORITY DATE	
25 OCT 00	25 OCT 99	

WENDEROTH, LIND & PONACK  
2033 K STREET N.W.  
SUITE 800  
WASHINGTON, DC 20006-1021

DATE MAILED: 30 JUL 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☒ a Designated Office (37 CFR 1.494) ☐ an Elected Office (37 CFR 1.495):

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.  | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.  | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventors(s).  | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.   | <input type="checkbox"/> Other:  |
| <input type="checkbox"/> Priority Document.   |  |
| <input type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any.     |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. |  |

2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- |   |   |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- |   |
|---|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  |
| <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).   |
| <input type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. |
| <input checked="" type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.   |
| <input checked="" type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).   |

4. Additional claim fees of \$\_\_\_\_\_ as ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(p).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

Winston M. Alvarado

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-8421

Received from &lt;2027218250&gt; at 10/30/03 2:10:04 PM [Eastern Standard Time]

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WENDEROTH LIND &amp; PONACK

NO. 4037 P. 8

UNITED STATES PATENT &amp; TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.govU.S. APPLICATION NO.  
09/869161FIRST NAMED APPLICANT  
TAKAHASHIATTY. Docket No.  
M 2001\_0885A

INTERNATIONAL APPLICATION NO.

PCT/JP00/07447

WENDEROTH, LIND & PONACK  
2033 K STREET N. W.  
SUITE 800  
WASHINGTON, DC 20006 1021

I.A. FILING DATE

25 OCT 00

PRIORITY DATE

25 OCT 99

DATE MAILED:

30 JUL 2001

**NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION**

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371(c)(4) for entry into the national stage in the United States of America. The period within which to correct the deficiency noted below and avoid abandonment is set in the accompanying Notification.

A new oath or declaration, properly identifying this application (preferably by the international application number and international filing date) is required. The oath or declaration does not comply with 37 CFR 1.497(a),(b) and (f) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the application to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

**FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b), AND 1.497(d) WHERE APPROPRIATE, WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.**

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the mailing address of each inventor. If the residence is different from the mailing address, then the city and state or city and foreign country of residence of each inventor must also be given.
2. ☐ does not state that the person making the oath or declaration:
  - a. ☐ has reviewed and understands the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
  - b. ☐ acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate for which a claim for priority is made pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.

Winston M. Alvarado

Telephone: 703-305-6421

FORM PCT/DO/EO/917 (March 2001)

Received from &lt;202 721 8250&gt; at 10/30/03 2:10:04 PM [Eastern Standard Time]

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